IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 638 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KALU ALASI KARANGIA - Applicant(s)
Versus
STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :
THROUGH JAIL for Applicant(s) : 1,
MR KT DAVE, ADDITIONAL PUBLIC PROSECUTOR for Respondent(s) : 1,
None for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

Date : 25/04/2006

ORAL JUDGMENT

1. Rule. Mr.K.T.Dave, learned Additional Public

Prosecutor waives service of rule on behalf of the respondents.

2. Present is the application received through jail. Present application is dated 21.03.2006 which was forwarded by the Jailer, Ahmedabad Central Prison with a forwarding letter dated 02.04.2006.

It is complained in the application that while the petitioner – convict is undergoing 10 years imprisonment for the offences punishable under Section 489, A, B, and C of the Indian Penal Code in Sessions Case No.104 of 2003 by the Additional Sessions Court, Jamnagar, his wife is missing and he suspects certain persons being involved in this act. The learned Additional Public Prosecutor made available the relevant papers for perusal, the same are taken on record. The application made by the convict was forwarded to the office of the D.S.P., Jamnagar vide letter dated 01.02.2006. The same was relpied by letter dated 18.02.2006. It is mentioned therein that complaint was sent for investigation to City 'A' Division Police Inspector, whose report was forwarded to Sessions Court, Jamnagar at the relevant time. Copy of the report and the statements were forwarded to Additional Director General of Police and Inspector General of Prisons on 06.02.2006. The same were also sent to Deupty Superintendent of Ahmedabad Central Prison vide

communication dated 18.02.2006. The learned Additional Public Prosecutor also submitted that he had made a complaint to the police authorities, Jamnagar on 20.09.2005. This Court also forwarded a copy of the application by communication dated 23.11.2005 which is replied by the Additional Director General of Police and Inspector General of Prisons by communication dated 03.04.2006. The authorities have mentioned that though the petitioner – convict is suspecting one Mr.Noor Mohammad and another Mr.Barkat of Jamnagar, police authorities have inquired into the matter, have recorded the statements and have found no substance in the allegations made by the petitioner – convict.

3. Having found no substance in the application, the same is rejected. Rule is discharged.

(RAVI R.TRIPATHI, J.)

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